

**Fair Political Practices Commission**  
**MEMORANDUM**

**To:** Chairman Johnson and Commissioners Hodson, Huguenin, Leidigh, and Remy

**From:** Andreas C. Rockas, Senior Commission Counsel, Legal Division  
Carla Wardlow, Chief, Technical Assistance Division  
Scott Hallabrin, General Counsel

**Subject:** Adoption of Proposed Amendment of Regulation 18402 – Requiring A Committee Controlled By A Candidate for Election Purposes To Include The Candidate's Name In The Name Of The Committee.

**Date:** March 26, 2007

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Proposed Commission Action: Adopt amendments to Regulation 18402 to require a candidate's name to appear in the official name of the candidate's controlled committee for election to office. The Commission considered these amendments for prenotice discussion at its meeting on February 8, 2007.

Reason for Proposal: Currently, Commission regulations do not require a candidate's name to appear in the official name of the candidate's controlled committee for election to office. The Technical Assistance Division is concerned that when a committee of this type engages in election activities, the public is not always aware that a candidate controls the committee. For example, although the Act generally requires a candidate's committee (and others) to disclose the name of the committee when it authorizes or pays for the making of 500 or more similar telephone calls supporting or opposing the candidate (see Section 84310), the identification requirement is undermined if the candidate's name is not in the name of the candidate's committee. In addition, when a candidate's name does not appear in the official name of his or her controlled committee, it is sometimes difficult to locate the candidate's campaign information on the Secretary of State's Web site.

Legal Authority for Action: The Commission can adopt regulations to address this problem because of the broad authority the Act confers on the Commission to regulate the types of information committees must disclose to the public (see, e.g., Section 84102 (g)).

Summary of Proposed Amendments: Regulation 18402 is attached and the proposed amendments are underlined. The proposed amendment applies to only a committee controlled by a candidate for his or her election to office. Since it is permissible, though unusual, for candidates to share a committee for their election to office, the amendment also applies to these types of committees.

Staff Recommendation: The staff recommends adoption.